



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE – 10TH FL.
NEW YORK NY 10151

MAILED

JUL 02 2009

OFFICE OF PETITIONS

In re Application of :
Kalisch et al. :
Application No. 09/937,952 : **DECISION ON PETITION**
Filed: December 5, 2001 :
Attorney Docket No. 592050-2018 :

This is a decision on the renewed petition under the unintentional provisions of 37 CFR 1.137(b), filed May 29, 2009, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the final Office action mailed September 12, 2006. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, this application became abandoned on December 13, 2006. A Notice of Abandonment was mailed May 7, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of a Request for Continued Examination (RCE) and fee of \$810.00 and the submission required by 37 CFR 1.114 (previously submitted January 9, 2009); (2) the petition fee of \$1,620.00 (previously submitted January 9, 2009); and (3) a proper statement of unintentional delay.

Telephone inquiries concerning this decision should be directed to Joan Olszewski at (571) 272-7751.

The file is now being forwarded to Technology Center 3652 for processing of the Request for Continued Examination under 37 CFR 1.114 filed on January 9, 2009.

/Liana Walsh/
Liana Walsh
Petitions Examiner
Office of Petitions